

UNITED STATES DISTRICT COURT

Southern

District of

New York

FRDERICK E. LANDDRIGAN

**SUMMONS IN A CIVIL ACTION**

v.

LEO R. KAYTES, JR., LEO KAYTES FORD, INC.  
P.O. RON DONNATIN AND THE TOWN OF  
WARWICK

CASE NUMBER:

**07 CIV. 8669**

TO: (Name and address of Defendant)

P.O. Ron Donnatin  
c/oTown of Warwick Police Department  
Route 94  
Warwick, NY 10990

**JUDGE CONNER**

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

CLIFFORD G. KLEINBAUM  
Attorney for Plaintiff  
11 Martine Avenue, 12th Floor  
White Plains, New York 10606  
(914) 644-2000

an answer to the complaint which is served on you with this summons, within TWENTY (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

OCT - 9 2007

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____ Date _____ <i>Signature of Server</i>  <hr/> <i>Address of Server</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----x  
FREDERICK E. LANDRIGAN, Plaintiff,

Case No.: 07 CIV. 8669

-v-

AFFIDAVIT OF SERVICE  
PROCESS SERVED:  
SUMMONS AND COMPLAINTLEO R. KAYTES, JR. LEO KAYTES FORD, INC.,  
P.O. RON DONNATIN AND THE TOWN OF WARWICK,  
Defendants.-----x  
STATE OF NEW YORK ]  
] ss.:  
COUNTY OF WESTCHESTER ]

Undersigned deponent, being duly sworn, deposes and says: that said deponent is not a party to this action, is over the age of eighteen and resides in the State of New York. Deponent served the process as follows:

UPON: P.O. Ron Donnatin

LOCATION OF SERVICE: 132 Kings Highway, Warwick, New York

PARTY ACCEPTING PROCESS: Police Chief McGovern

DATE OF SERVICE: October 12, 2007 TIME: 9:13 a.m.

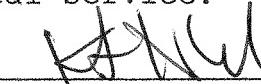
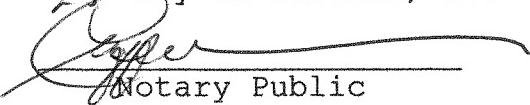
An approximate description of the person served with process listed herein:

SEX: male SKIN COLOR: white HAIR: dark/greying HEIGHT: 5'8"  
WEIGHT: 170 lbs. AGE: 53 OTHER:

Deponent states further that the process was served in the following manner:

By delivering to and leaving with a person of suitable age and discretion a true copy of the within named process. Service was made at the address given above which is the usual place of business of the named party.

Service was completed when deponent deposited a copy of the process in a plain, post-paid, properly addressed envelope, bearing the legend "PERSONAL &amp; CONFIDENTIAL", to the address listed, in an official depository of the U.S. Postal Service.

Sworn to before me this  
23<sup>rd</sup> day of October, 2007  
KENT HILBRINK  
Notary PublicCLIFFORD G. KLEINBAUM  
Notary Public State of  
New York  
No. 02KL-729775  
Qualified in Westchester County  
Commission Expires October 31, 2010